

cause a notice, in writing, to be served upon all the parties, the present owners of the land upon which said landing and road are proposed to be located, giving at least ten days' notice of the time when they will commence the location. CHAP. 258.

SEC. 5. *And be it enacted*, That if the owner or owners of the land required by the provisions of this act, for the public road or landing therein mentioned, shall not be satisfied with the amount of damages ascertained by the commissioners aforesaid, or be a minor, feme covert, or non compos, it shall be the duty of said commissioners to apply, in writing, to some justice of the peace of the county in which said lands lie, stating the facts, and the said justice shall thereupon issue his warrant to the sheriff of the county aforesaid, to summon a jury of twelve freeholders of said county, not in any way interested in the road or landing, or connected with owners or commissioners, to meet, on the land required at some day, not less than twenty days from the date of said warrant, and summon also the guardian, committee or husband of the owner, to appear, if he deem fit; and the said sheriff, on the day of return of said warrant, shall administer an oath or affirmation to said jurors, on the premises, "well and truly to appraise the value of said land and damages which the owner or owners may sustain by the establishment of said landing or opening of said road;" and the inquisition of said jury, under their hands and seals, and the seal of said sheriff, shall be returned to the clerk of the county court of said county, to be ratified or set aside, as to the court may seem fit; and when the said inquisition shall be ratified, it shall be the duty of the levy court aforesaid to levy the amount of damages and costs on the said county, for the use of the owner or owners; and if the said county court shall set aside the said inquisition, they shall order another to be made, and returned and ratified as aforesaid; whereupon the said levy court shall levy the amount of the same, and costs of the proceedings as aforesaid; and in no case shall the levy court assess the damages ascertained by the commissioners, unless the owners assent, in writing, to the same. Appeal as to
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